

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GERALD E. VONTOBEL,

Petitioner,

vs.

JAMES BENEDETTI, et al.,

Respondents.

Case No. 3:10-cv-00073-LRH-VPC

ORDER

The court stayed this action while petitioner returned to state court to pursue post-conviction relief. Those proceedings have concluded, and petitioner has filed a motion to reopen (#51). Good cause appearing;

IT IS THEREFORE ORDERED that petitioner's motion to reopen case (#51) is **GRANTED**. This action is **REINSTATED**.

IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date on which this order is entered to answer or otherwise respond to the first amended petition (#23). If respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and then petitioner shall have forty-five (45) days from the date on which the answer is served to file a reply.

IT IS FURTHER ORDERED that the exhibits filed in the court's docket at #52 shall be considered as additional exhibits to the first amended petition (#23).

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1 IT IS FURTHER ORDERED that, from this date forward, the hard copy of any exhibits
2 shall be forwarded—for this case—to the staff attorneys in Las Vegas.

3 DATED this 6th day of January, 2015.

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6 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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